

Licensing Sub-Committee

Tuesday 5 July 2022 at 10.30 am

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

**Councillors David Barker (Chair), Denise Fox and Abdul Khayum
Ann Woolhouse (Reserve)**

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

Recording is allowed at Licensing Committee meetings under the direction of the Chair of the meeting. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact John Turner on 0114 474 1947 or email john.turner@sheffield.gov.uk

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
5 JULY 2022**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Local Government (Miscellaneous Provisions) Act 1982 - Schools (Ice Cream) Street Trading – Paul Grayson**
Report of the Chief Licensing Officer.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: Tuesday 5th July 2022 at 10.30am

Subject: Street Trading:
Application to renew a Schools (Ice Cream) Street Trading
Consent

Author of Report: Shimla Finch

Summary: To consider an application to renew a Schools (Ice Cream)
Street Trading consent at Birley Primary Academy,
Thornbridge Avenue, Sheffield

Background Papers: As attached
[Street Trading Policy](#)

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING TO THE LICENSING SUB COMMITTEE

REF No: 103/22

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
SCHOOLS (ICE CREAM) STREET TRADING – Paul Grayson

1.0 PURPOSE OF REPORT

- 1.1 To consider an application to renew a Schools (Ice Cream) Street Trading Consent to trade at Birley Primary Academy, Thornbridge Avenue, Sheffield.

2.0 INTRODUCTION

- 2.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.
- 2.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.
- 2.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:
1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
 2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.
- 2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.
- 2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.

- 2.6 There is no appeal procedure against the refusal or revocation of any consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

- 3.1 The applicant is Mr Paul Grayson who submitted a renewal application of a Schools (Ice Cream) Street Trading Consent on the 9th of June 2022. A copy of the application is attached at Appendix 'A' with pictures of the site occupied.
- 3.2 The application was circulated in the usual manner to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning and no comments have been received from them.
- 3.3 The applicant has also consulted with the Head Teacher of the school in regards to renewing his street trading consent.

4.0 REASONS FOR REFERRAL

- 4.1 Three objections (attached at Appendix 'B') have been received against the renewal application for this consent by the following parties:
- Headteacher of Birley Primary Academy
 - MP Clive Betts
 - South Yorkshire Police – Lauren Spacie
- 4.2 These objections relate to issues of congestion, parking, and the safety of the pupils at busy times. All three objections refer to an incident which occurred on the 10th March 2022 where a pupil walked around the van to cross the road and was hit by a car.
- 4.3 This incident was investigated by our Licensing Enforcement Officer, and discussions were held with both the primary and secondary school, Sheffield City Council's Parking Services and South Yorkshire Police.
- 4.4 The investigation showed that the ice cream trader had been parked legally at the time of the incident. CCTV footage of the incident has been viewed by authorities, and both the schools and South Yorkshire Police believe that the incident would not have occurred if the ice cream van was parked in a different location as it reduced visibility for anyone crossing the road. As this is a legal parking space without any road traffic regulations in place, this could be a problem for any larger vehicles parked there. This issue has been shared with the Highways Department and Traffic Regulation Services of Sheffield City Council to seek their views on whether further considerations should be made to parking in this area to reduce any risks, we are yet to receive a response from Traffic Regulation Services.
- 4.5 Licensing Enforcement Officers have been in discussion with the applicant Mr Grayson and have met onsite to discuss the issues outlined above and the objections received against his application. He has worked closely with our officers to find an alternative location near to where he is currently trading, with various areas around the current site being viewed, Officers have confirmed that there is currently no other suitable site around the school due to existing parking restrictions. Appendix 'C' of this report contains maps showing the current parking

restrictions in the area and photos of Mr Grayson's current trading location and the immediate vicinity when carrying out these site visits.

- 4.6 As the objections are unresolved, the renewal application has been referred to the Licensing Sub-Committee for determination. Members are advised to consider all documentation and to refer to the Street trading policy, in particular to paragraph 2.8 in regard to factors around 'public safety/highway' in considering an application.
- 4.7 The applicant, and the objectors to the application have been invited to attend the Licensing Sub-Committee meeting. Copies of the invites are attached at Appendix 'D'. The Licensing Enforcement Officer who investigated the complaint has also been invited should there be any questions from Members.
- 4.8 A copy of the hearing procedure is attached at Appendix 'D'.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.
- 5.2 The fees for a school's (ice cream) street trading consent is currently fixed and is payable on application. Therefore there are no financial implications arising from this report.

6.0 RECOMMENDATIONS

- 6.1 That Members consider all the relevant information available, any representations that may be made and our policy.

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the renewal for a School's (Ice Cream) Street Trading Consent.
- 7.2 To grant the renewal application with amendments.
- 7.3 To defer the matter for further consideration.
- 7.4 To refuse the renewal application.

Steve Lonnia
Head of Licensing

5th July 2022

APPENDIX 'A'

Renewal Application and site location

Local Government (Miscellaneous Provisions) Act 1982

Application for a School Street Trading Consent

Notes to Applicant

All questions must be answered unless otherwise stated.

If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

***I / *WE HEREBY APPLY** to the Sheffield City Council for the grant of a (school) street trading consent to sell ice cream (*delete as appropriate).

A. THE APPLICANT(S)

		1 st Applicant (Mr/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	PAUL GRAYSON	
Q2	Applicant(s) permanent private address		
Q3	Date of birth		
Q4	Nationality and place of birth		
Q5	National Insurance No.		
Q6	Do you have the legal right to work and live in the UK?	YES / NO Details: YES	YES / NO Details:
Q7	Have you ever been refused a street trading consent in this or any other area?	YES / NO Details: NO	YES / NO Details:
Q8	Telephone No		
Q9	Email address		
Q10	Current ice cream mobile consent number		

B. COMPANY DETAILS (if applying as a Corporate body)

Q11	Name	PAUL GRAYSON
Q12	Registered address	
Q13	Registered number	CX0845Z
Q14	Telephone number	
Q15	Email address	
Q16	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	

C. THE VEHICLE

Q17	Consent number	
Q18	Description of vehicle to be used	FORD TRANSIT
Q19	Registration number	CX0845Z
Q20	Date of first registration	03/08
Q21	Last MOT and service	03/02/2022
Q22	Size of vehicle	Height: Width: Length:
Q23	Items to be sold	ICE CREAM LOCCOS CANS POP
Q24	Does the vehicle meet the quality criteria? Your vehicle will be inspected prior to granting a consent.	

D. THE SCHOOL

Q25	Name and address of school where you wish to trade:	BIRLEY PRIMARY ACADEMY THORNBURGH AVE SHEFFIELD S12 3AD
Q26	Location of pitch: (include site plan)	THORNBURGH AVE S12 3AD

E. CONVICTIONS / CAUTIONS

Q27	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If the answer is Yes please give full details below:	Applicant 1 Yes [] No <input checked="" type="checkbox"/> Applicant 2 Yes [] No []												
	Details of previous convictions and/or cautions <table border="1"> <thead> <tr> <th>Date of Conviction</th> <th>Court of Conviction</th> <th>Nature of Offence</th> <th>Sentence</th> </tr> </thead> <tbody> <tr> <td>Applicant 1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Applicant 2</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Date of Conviction	Court of Conviction	Nature of Offence	Sentence	Applicant 1				Applicant 2			
Date of Conviction	Court of Conviction	Nature of Offence	Sentence											
Applicant 1														
Applicant 2														

F. CHECK LIST

The following documents must be attached with this application:
(tick)

(tick if enclosed with this application)

Certificate of insurance in respect of the vehicle / unit	<input checked="" type="checkbox"/>
Appropriate vehicle test	<input checked="" type="checkbox"/>
Public liability insurance (minimum of £2,000,000)	<input checked="" type="checkbox"/>
Written confirmation that the vehicle meets the Council's food safety standards	<input checked="" type="checkbox"/>
Waste management contract	<input checked="" type="checkbox"/>
Declare that you have registered as a food business	<input checked="" type="checkbox"/>
Head teacher's written consent (on letter-headed paper) EMAIL ATTACHED	<input checked="" type="checkbox"/>

G. DECLARATION

Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

"Any person who, in connection with an applicationfor a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence."

I / We,

- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;
- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked:

	Applicant 1	
	Signature:	
	
	Print name:	PAUL GRAYSON
	
	Date:	27/04/2022
	
	Capacity:	
	

ICE CREAM VAN

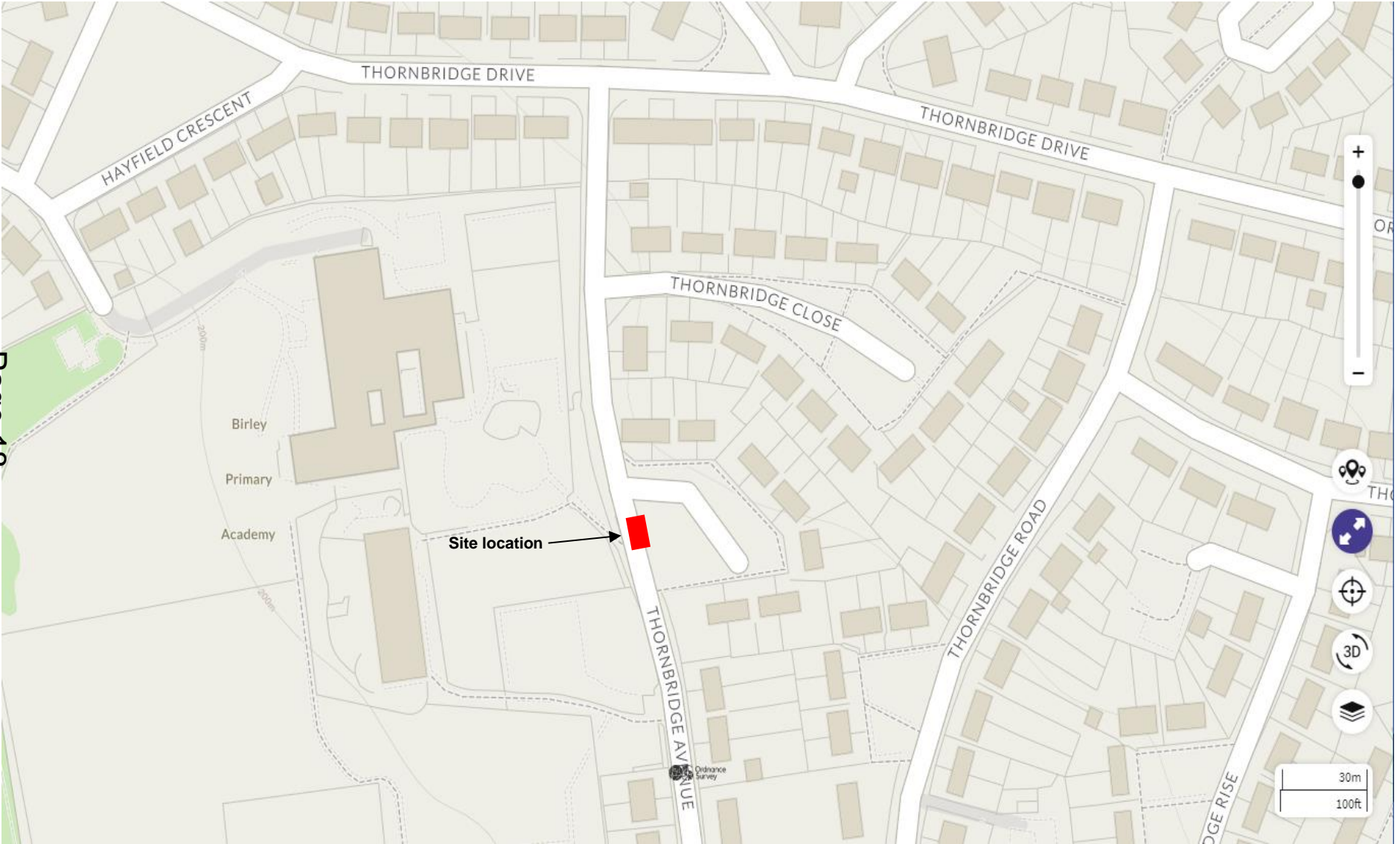
From:

To: enquiries@birley.primaryacademy.co.uk

Date: Wednesday, 27 April 2022, 11:07 BST

Good morning

I am emailing you for consent from the head teacher to park outside your school in a safe place allocated by the council thank you
p grayson









APPENDIX 'B'

Objections

Birley Primary Academy Objection

From: Dawn Mcaughey [REDACTED]
Sent: 04 May 2022 08:13
To: Stephen Lonnia (CEX) [REDACTED]
Subject: Licensing objection

Good morning Stephen,

I was wondering if you could forward on my email to Claire Bower as I don't have her email address regarding an ice cream van trading outside Birley Primary Academy?

I have been contacted directly by Mr Paul Grayson in order for me to grant permission for him to continue to trade outside Birley Primary Academy.

I have objected to this in the past and I do wish to raise an objection again due to the difficulties this location continues to cause in terms of the amount of parking at the school at home time (we are a 3 form entry, very large Primary School with nearly 600 children) the congestion around the area and the safety implications for pupils - it adds greatly to congestion on what is already a very busy road. Recently a pupil went behind the van and got knocked down by a car. This was all reported to the Licensing Committee. It is a huge concern for myself as I am sure you will appreciate.

I hope you will take my objection into account. There may be a more convenient and appropriate location for the ice cream van, but where he currently parks is not appropriate in my opinion.

Many thanks
Dawn McAughey

Dawn McAughey
Headteacher
Birley Primary Academy
[REDACTED]



Birley Primary Academy
A L.E.A.D. Academy

Clive Betts MP Objection

From: Clive Betts MP [REDACTED]
Sent: 21 April 2022 09:02
To: Stephen Lonnia (CEX) [REDACTED]
Cc: Bryan Lodge <[REDACTED]>; Denise Fox <[REDACTED]>
Subject: (Case Ref: ZA21484) from Clive Betts MP/Birley Primary School/Ice Cream Van

Dear Stephen

I understand that the licence for the ice cream van to sell ice cream outside Birley School on Birley Lane has now run its term and will have to be renewed for the trade to continue.

I wish to object to this because of the difficulties this location causes in terms of the amount of parking at the school at leaving times, the congestion around the area and the safety implications for pupils. I understand recently a pupil went behind the van and got knocked down and clearly this is a matter of concern both to myself and I understand to the school as well.

I hope you will take this objection into account. Maybe there is a more convenient and appropriate location for the ice cream van but this does not seem at all the right place for it to operate.

Yours Sincerely

CLIVE BETTS

Clive Betts MP
Sheffield South East

South Yorkshire Police Objection

-----Original Message-----

From: LAUREN SPACIE <[REDACTED]@southyorks.pnn.police.uk>

Sent: 30 March 2022 11:24

To: Emma Rhodes-Evans (CEX)

Subject: RE: Incident outside Birley Primary Academy, S12 - Thursday 10th March 2022 -
Incident Ref:56410032022

Hi Emma,

As per our phone call conversation, I can clarify the following -

I attended the Road Traffic Collision on the 10th March 2022 outside Birley Academy. The driver during this incident was not at fault. From speaking to witnesses and reviewing CCTV at the scene, it is clear and evident that the child runs in front of the ice cream van, into the road into the path of the vehicle.

Teachers at the school stated there concerns over the location of the ice cream van. I also have the same concern as I am of the opinion it is in a dangerous place. Albeit the Van is not parked on double yellow lines, the vehicle causes children to congregate and causes reduced visibility on the pavement when crossing the road. I spoke to the owner of the van who was quite dismissive of what had occurred, which also concerned me.

I think the van would be better situation further up the road, in order to prevent any further incidents.

Please let me know if you need any further clarification on the matter.

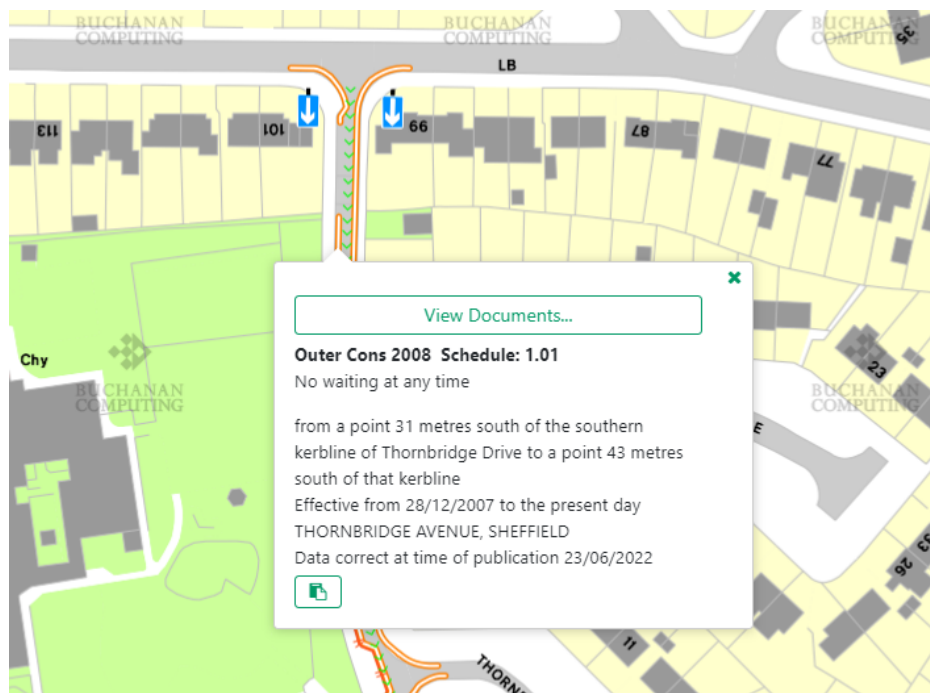
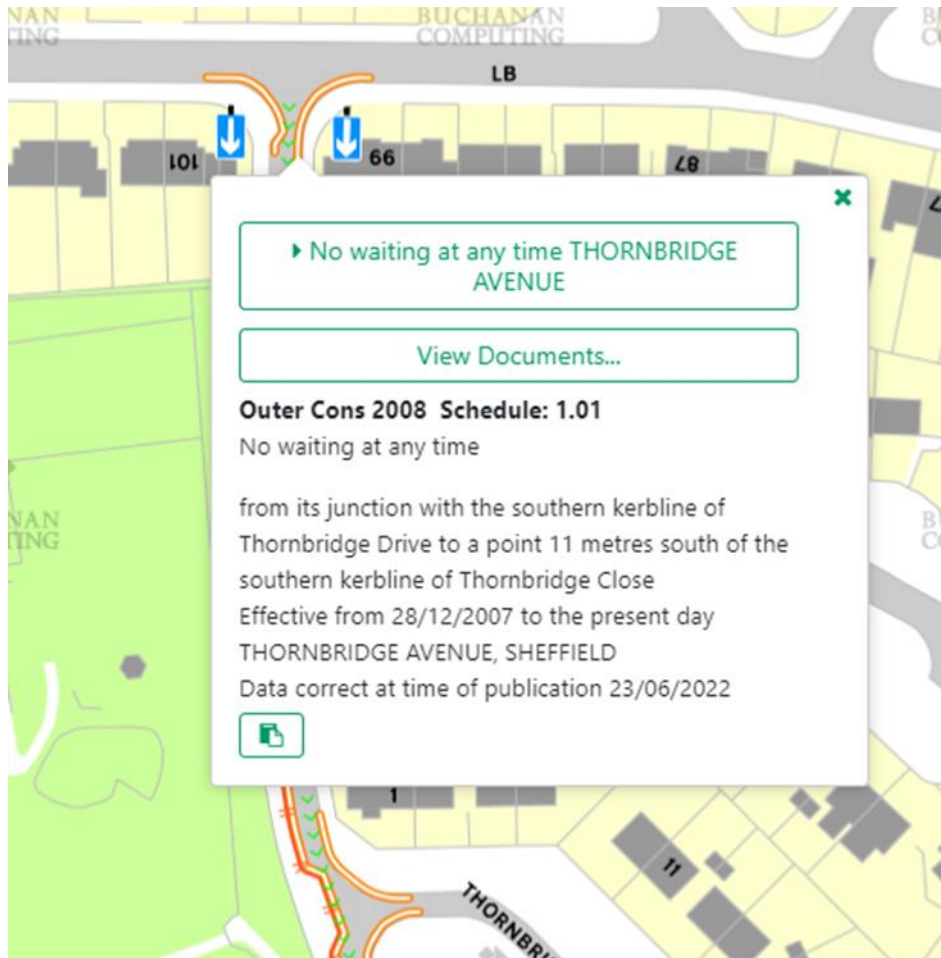
Kind regards,
Lauren

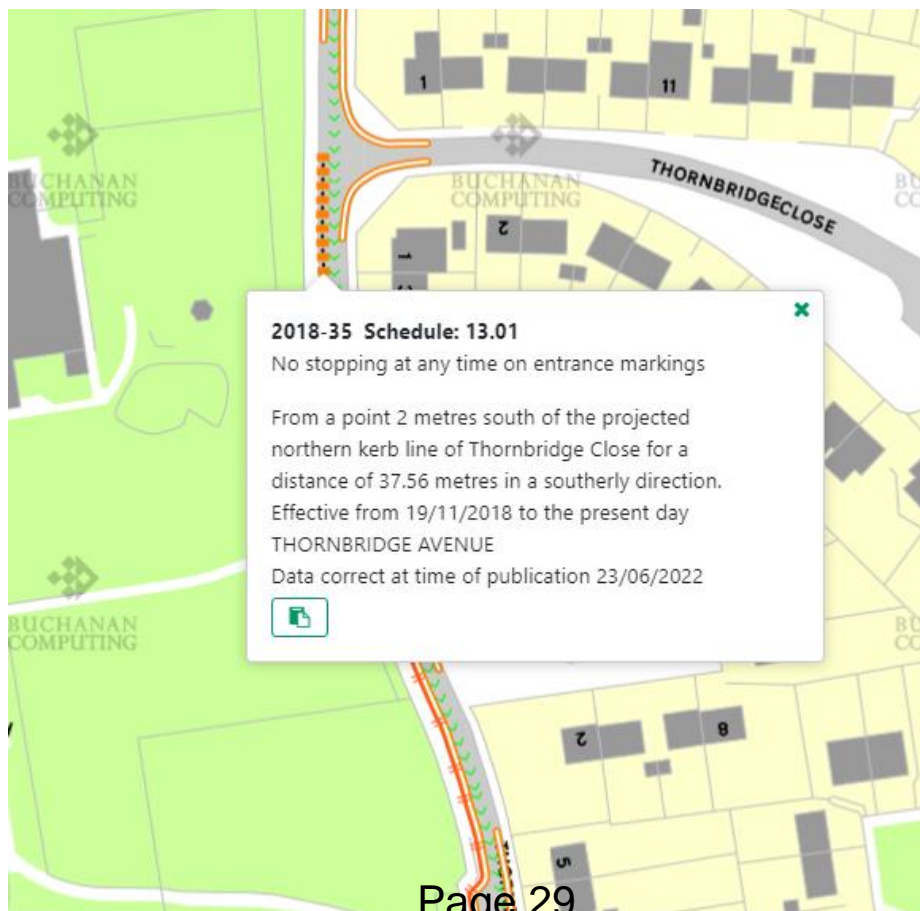
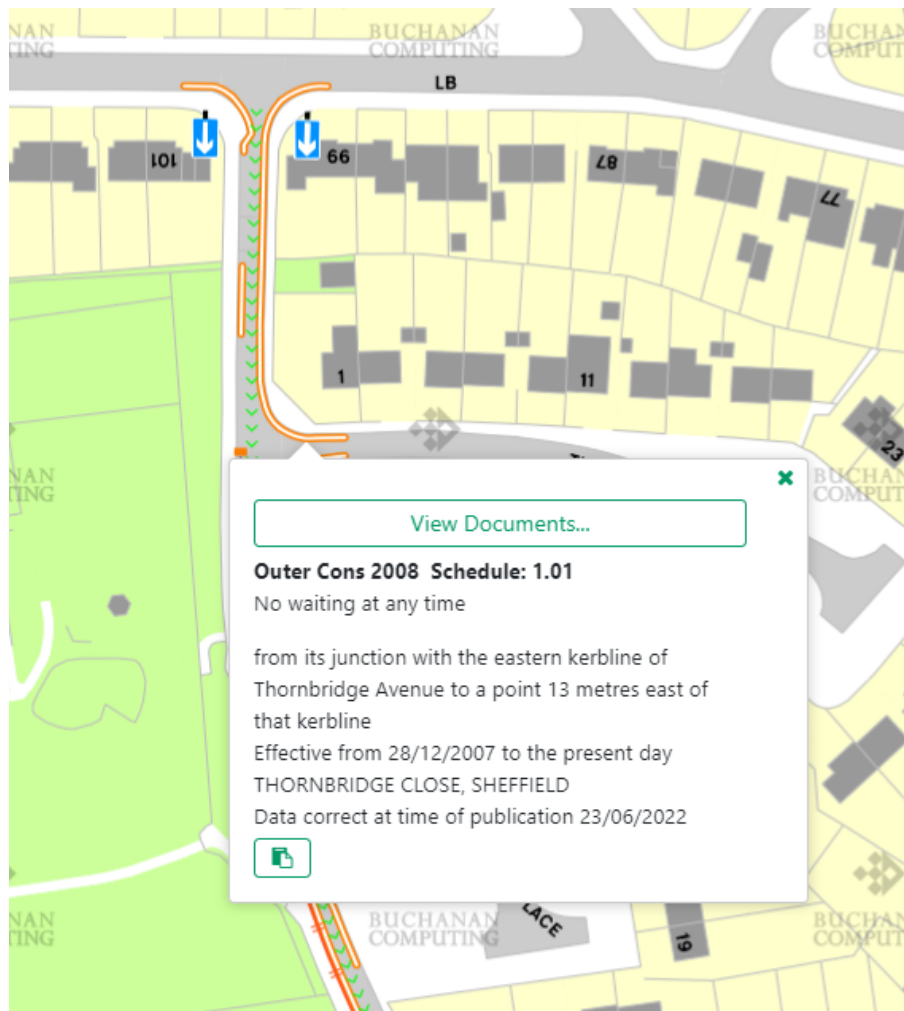
APPENDIX 'C'

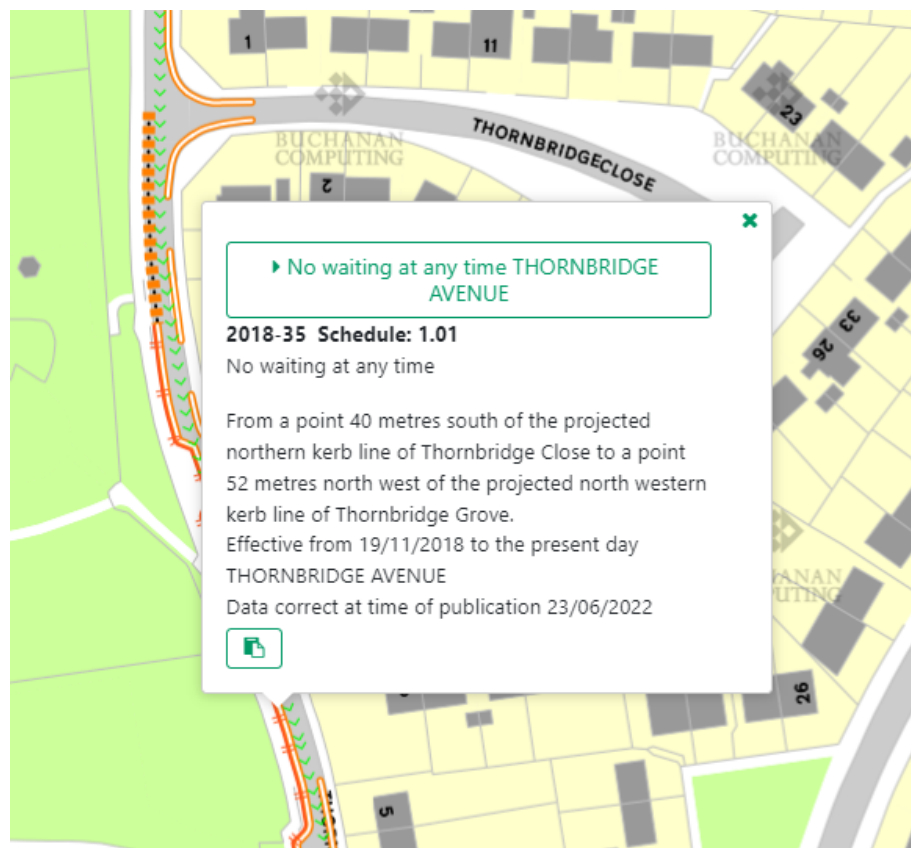
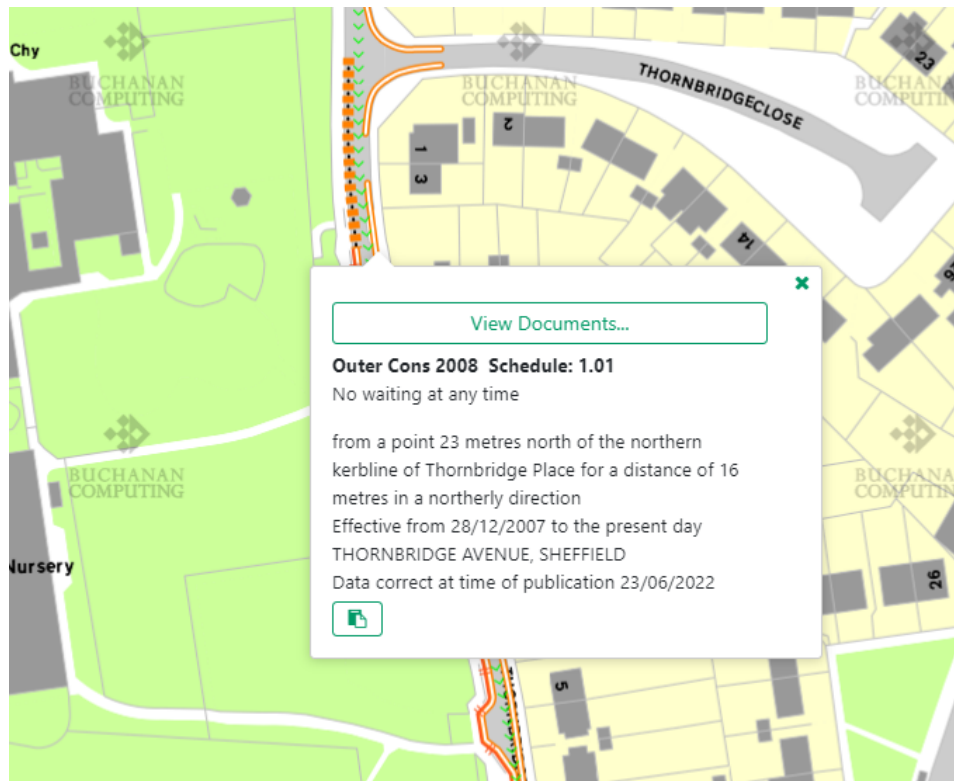
Current location, parking restrictions and the
immediate vicinity

Mapped parking restrictions of area









Current location



Immediate vicinity





APPENDIX 'D'

Hearing Notices and Procedure

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Schools (Ice Cream) Street Trading Consent – Birley Primary Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Paul Grayson

Sent via email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Schools (Ice Cream) Street Trading Consent – Birley Primary Academy

I refer to the above and the application to renew a street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

The Committee has indicated that it expects applicants, interested parties and any objectors to attend the meeting on Tuesday 5th July 2022 in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10.30 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting via email to licensing@sheffield.gov.uk as soon as possible.



.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date 20th June 2022

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD Telephone 0114 2734264

The Licensing Service Reception is no longer open. Telephone calls can be taken from 09:00am to 5:00pm.

SHEFFIELD CITY COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Schools (Ice Cream) Street Trading Consent – Birley Primary Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Ms Dawn McAughey
Headteacher
Birley Primary Academy

Sent via email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Schools (Ice Cream) Street Trading Consent – Birley Primary Academy

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To: Clive Betts MP

Sent via email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

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LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Schools (Ice Cream) Street Trading Consent – Birley Primary Academy

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Ms Lauren Spacie
South Yorkshire Police

Sent via email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

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I refer to the above and the application to renew a street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details will be provided in the report to the Committee which will be sent to you in due course. The Licensing Committee has the authority to decide what action to take in relation to each application.

The Committee has indicated that it expects applicants, interested parties and any objectors to attend the meeting on Tuesday 5th July 2022 in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **10.30 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting via email to licensing@sheffield.gov.uk as soon as possible.



.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date 21st June 2022

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD Telephone 0114 2734264

The Licensing Service Reception is no longer open. Telephone calls can be taken from 09:00am to 5:00pm.

STREET TRADING CONSENT APPLICATION SUB-COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 2. The Chair will ask the applicants and interested parties to formally introduce themselves.
 3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The applicant/consent holder (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
 - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf.
New representations must not be raised.
 - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
 - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for Members to take legal advice and consider the application.
 - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
 - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.
- NB: 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
- 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.

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